

UNITED STATES DISTRICT COURT

Middle for the  
District of Tennessee  
DDC Division

RECEIVED

AUG 24 2023

U.S. District Court  
Middle District of TN

Case No.

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Brandon King

All other names by which  
you have been known:

ID Number OCA 412485 / DOC 464413

Current Institution Davidson County Sheriff's Office

Address P.O. Box 196383

City Nashville

State TN

Zip Code 37219

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name State of Tennessee

Job or Title (*if known*) 11

Shield Number 11

Employer State of TN

Address 11

City

State

Zip Code 37219

☐ Individual capacity

☒ Official capacity

**Defendant No. 2**

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity

☐ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐

Federal officials (a *Bivens* claim)

☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

U.S.C. - Articles of Declaration - Amendments IV, V, VII, XIV, XVII  
Cruel & unusual Punishment, Deprivation of civil Rights,  
& Deprivation of Humanitarian Rights

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

N/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

It is every person's Right to take care of personal hygiene properly; There is no hot water & the water is freezing cold preventing myself from being clean & because my body is too sensitive to cold staying & other inmates are not taking shower & taking ice at risk of getting COVID-19 & other things putting everyone

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee  
☐ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner  
☐ Other (explain)

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

N/A

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

These events happened Inside the Davidson County Jail over three days ago that there is an maintenance problem with the facility water system multiple times before 8-14-2023 & the problem with facility water is still going on now currently today with inmates housed together & putting everyone at risk for COVID-19

C. What date and approximate time did the events giving rise to your claim(s) occur?

8-13-2023

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

Cruel & Unusual punishment & Unsanitary inhumane conditions; Staff & Administratives refuse to have water systems damage repaired after inmates constantly inform & notify that water is too cold for us to get in & showers are refused by countless inmates putting everyone at risk of catching covid-19 & catching pneumonia & inmates are housed together full of germs which is a life & health hazard

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I am put at high risk for Covid-19, Pneumonia & other contagious diseases & infection due to Unsanitary Conditions & germs of other unsanitary people which can kill me!!!  
STAR DONGHA, I SAID YOU SEE THAT STAR DONGHA, what that MEAN, I AINT PLAKIN!!!

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want \$5 million for putting my life at risk of death from getting disease!! I Aint Playin about my life, I am incarcerated for one misdemeanor charge which I have served the time for over a week ago! I should have been released from jail & I am still A MENTAL HEALTH PATIENT!!! YALL KNOW WHO I AM YALL KNOW THE NAME!!! YALL BETTA HAVE MY MONEY PROPERLY READY! LIKE I HAVE TOLD YOU MULTIPLE TIMES AT NT NOTHING CHANGIN OKAKNOW I TOLD YALL I M COMIN TO THAT COURT HOUSE, & GAVE STA with all Black on & Bandanas

## VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Davidson County Sheriff's Office

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☐ No

☒ Do not know

If yes, which claim(s)?



- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

N/A

2. What did you claim in your grievance?

N/A

3. What was the result, if any?

N/A

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

No, Administrative Staff don't answer because they are lazy, they lie & hide things & Continue to hide things & deprive us inmates of our Rights

Page 7 of 11

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

Administrative staff, do not Answer & they always lie & hide things.

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Verbally To their faces  
(The Sergeants of the Jail) They Keep making excuses, because they know they are messing up & caught red handed

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I am incarcerated on one misdemeanor charge "Shop lifting" I have been in jail over a week for it, I am going to file another lawsuit if I'm not released ASAP & I AM going to file a mental Health lawsuit GET ME OUT  
I need that \$500,000 fast  
(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.) I Need \$500,000 Quickly, GOT DAMIT NOW

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes  
☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

N/A



A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Brandon J. King

Defendant(s)

Brenee Briggity

2. Court (if federal court, name the district; if state court, name the county and State)

Davidson County, TN

3. Docket or index number

Forgot might be 3:23-cv-00459

4. Name of Judge assigned to your case

Forgot

5. Approximate date of filing lawsuit

2020, 2021, 2022, 2023

6. Is the case still pending?

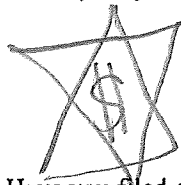
☐ Yes

☒ No

If no, give the approximate date of disposition.

Before 2022

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)



CLOSED  
\$CHA-CHILLING\$

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

YES

☒ Yes

☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Brandon King

Defendant(s) Lawyer Jerry GONZALES

2. Court (if federal court, name the district; if state court, name the county and State)

Sixth Circuit Court of Ohio

3. Docket or index number

Brandon J. King Plaintiff vs. Jerry Gonzalez

4. Name of Judge assigned to your case

Aleta A. Trauger

5. Approximate date of filing lawsuit

2020

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Still Pending Jerry Gonzalez is still avoiding this case because he knows that I have won the Charges of Felony (Ineffective Assistance of Counsel) brought against him & I went \$300,000 from Jerry Gonzalez for still running & hiding & disrespecting me! AND HE IS PLAINTIFF

Page 10 of 11

## IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

8-18-2023

Signature of Plaintiff

*[Handwritten Signature]*

Printed Name of Plaintiff

Brandon J. King

Prison Identification #

464413, 412485

Prison Address

Davidson County Sheriff's Office P.O. Box 196383

City

Nashville

State

TN

Zip Code

37219-6383

### B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

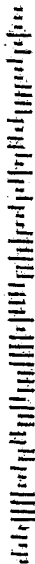
NAME Brandon D. King  
OCA 432465/TMC 464113  
DAVIDSON COUNTY SHERIFF'S OFFICE  
P.O. BOX 196383  
NASHVILLE, TN 37219-6383

RECEIVED

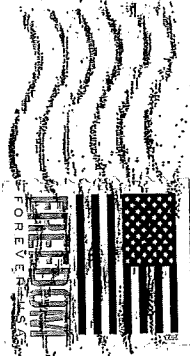
AUG 24 2023  
U.S. District Court  
Middle District of TN

37203-386900

United States District Court  
for the Middle District of Tennessee  
801 Broadway, Room 800  
Nashville, TN 37203



NASHVILLE TN 370  
21 AUG 2023 PM 5 L



SENT FROM CORRECTIONAL  
INSTITUTION INMATE BEARS ALL  
RESPONSIBILITY FOR CONTENT